

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

UNITED STATES OF AMERICA,)	
)	Criminal Action No. 3:05-cr-00028
)	
v.)	<u>2255 FINAL ORDER</u>
)	
BARBARA CORBY MARTIN.)	By: Norman K. Moon
)	United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED** and **ADJUDGED** that Respondent's Motion to Dismiss is **GRANTED**; the above referenced motion pursuant to 28 U.S.C. § 2255 is **DISMISSED**; and this action shall be **STRICKEN** from the active docket of this court.

Further, finding that Martin has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to the parties.

Entered this 3rd day of March, 2011.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE